



క్రిష్ణ జిల్లా రాజపత్రము

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అధికారమువలన ప్రచురించబడినది.

నెం. 6(2)

మచిలీపట్టణం, 2009వ సంవత్సరము, జూన్ నెల, 24వ తేది, బుధవారము

Copy of :-

ORDER :

PROCEEDINGS OF THE COLLECTOR
AND DISTRICT MAGISTRATE, KRISHNA,
MACHILIPATNAM

Present : SRI N. SRIDHAR, I.A.S.,

Sub :- Caste Certificates - Krishna District - Complaint on the Caste Certificate obtained by Kum. Neelapu Venkata Kumari, D/o (Late) Apanna, an employee working in Revenue Department- Enquiry conducted - Cancellation Orders - Issued.

Read :- 1. The proceedings of the Collector, Krishna in D. Dis. (C5)/ 1024/M/2005, dated 27-2-2007 Order of Hon'ble High Court of Andhra Pradesh in W. P. No. 26827/2007, dated 17-3-2009.
2. Enquiry Report submitted by the District Level Scrutiny Committee, dated 12-6-2009.

Kum. Neelapu Venkata Kumari, D/o late Apanna was appointed as Typist in ST category (Konda Reddy) under backlog vacancies vide proceedings of the District Collector, Krishna issued in Rc. A7/3138/2001, dated 8-11-2001, pending verification of the individual's caste status. The caste certificate was earlier issued by the then Mandal Revenue Officer, Godivada in S. No. 103/97. As part of verification of the genuineness of the certificate, it was referred to the District Level Scrutiny Committee. The Committee has conducted the enquiry and finally concluded that Kum. Neelapu Venkata Kumari, D/o (Late) Apanna does not belong to "Konda Reddy" community duly following the procedure prescribed under Act 16 of 1993 & Rules, 1997 and submitted the report.

The enquiry report of the District Level Scrutiny Committee was considered and the caste certificate issued in favour Kum. Neelapu Venkata Kumari, D/o (Late) Apanna was cancelled under Section 5(1) of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of

Community Certificate Act, 1993 read with Sub Rule 7 of Rule 9 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community, Nativity and Date of Birth Certificates Rules 1997.

Aggrieved by the above orders, the individual has filed the Appeal before the Government and the Government have confirmed the orders of the Collector's in G. O. Ms. No. 79, Social Welfare (C. V-2) Department, dated 21-9-2007 and rejected the appeal petition of the applicant. Aggrieved by the orders of the Government, the individual has filed a Writ Petition in W.P. No. 26827/2007 the Hon'ble High Court of Andhra Pradesh.

The Hon'ble High Court of Andhra Pradesh, Hyderabad, in the Order in W.P. No. 26827/2007, dated 17-3-2009 have set aside the cancellation of the caste certificate Kum. Neelapu Venkata Kumari, D/o Late Appanna by the District Collector, Krishna in the proceedings D. Dis. (C) 1024/M/2007, dated 27-2-2007, observing that the order of the Hon'ble High Court will not preclude the respondents from conducting an enquiry as required under the law with regard to the genuineness of the certificate obtained by the Petitioner and that if any such enquiry is contemplated, the same should be completed within a period of three months from the date of receipt of a copy of the Order.

In compliance with the order, the issue has been referred to the District Level Scrutiny Committee to hold the enquiry and to submit the report.

The Committee has held the proceedings and submitted the enquiry report. It has been reported that due procedure was followed and opportunity was provided to Kum. Neelapu Venkata Kumari, D/o (Late) Appanna to file documentary evidence in support of her caste status that Kum. Neelapu Venkata Kumari, D/o Appanna attended before the District Level Scrutiny Committee on 4-5-2009 and submitted a copy of migration certificates of her father, stated to have been issued by the then Tahsildar, Bhadrachalam

Mandal, Khammam District in L. Dis. No. C- 315/2008, dated 27-2-2009 that the contents of the certificate are that the local enquiry held by the Tahsildar, Bhadrachalam revealed that Sri Neelapu Appanna, and Neelapu Appala Swamy, father of Neelapu Appanna had lived in Bhadrachalam Agency area of Khammam District of Andhra Satram, Bhadrachalam and that said Appala Swamy belongs to Konda Reddy Caste (ST) that she produced the same certificate previously and when it was referred to the Tahsildar, Bhadrachalam that as per the report sent by the Tahsildar, Bhadrachalam in L. Dis. No. C-315/2008, dated 27-2-2009, the certificate bearing No. A4/245/1970, dated 17-4-2007 was not all issued from the office of the Tahsildar, Bhadrachalam and that the Signature of the Tahsildar in the said certificate is forged one and that the then Tahsildar by Name V. Nageswara Rao had informed that he had not signed and issued any Migration certificate of Konda Reddy and that on enquiry in the area of Ambasatram of Bhadrachalam it was revealed that the proof of residence of Sri Neelapu Appanna, S/o Appala Swamy and their caste was not proved that the Committee has informed Kum. Neelapu Venkata Kumari, D/o Appanna vide Rc. C4/661/M/2007, dated 8-5-2009 to submit her explanation within 7 days on the report of the Tahsildar, Bhadrachalam and also as to why she could not be prosecuted for filing forged document.

It is further reported that she filed the explanation on 18-5-2009 that it was stated in the explanation that the then Tahsildar, Godivada has issued permanent caste certificate on the strength of her Grandfather's /Father's Caste Migrated Certificate and stated that she belongs to "Konda Reddy" because of her father belongs to "Konda Reddy" that the particulars of Migrated Caste Certificate which was issued to them were collapsed during Godavari Floods from the Office of the Tahsildar, Bhadrachalam that under the pressure of the officials to submit new migration certificate, she has applied for migration certificate in the office of the Tahsildar, Bhadrachalam in January, 2007 and the certificate which was issued by the Tahsildar, Bhadrachalam also resembled with the certificate issued to her Grandfather and hence the same

certificate was submitted in the enquiry that the counsel for Kum. Neelapu Venkata Kumari, D/o (late) Appanna has sent a letter dated 25-5-2009. It is stated that they have already submitted all the documents that on 8-6-2009. Kum. Neelapu Venkata Kumari, D/o (Late) Appanna attended before the Committee and stated that the reply given by her and the communication sent by the Advocate hold good and if the committee desires further information, she requires time to produce the same.

It was reported that unless and until one has migrated from the areas where the communities of Konda Reddy is prevailing, the claim of Konda Reddy status is absolutely misleading and false as no Konda Reddy Caste people are originally there in the Krishna District that as the basic certificate claimed to have been issued by the Tahsildar, Bhadrachalam is proved to be a forged one and the candidate has not furnished any further evidence as regards to migration of her father or forefathers, it was construed that her case is not Konda Reddy and accordingly the committee recommended that the caste certificate issued to Kum. Neelapu Venkata Kumari, D/o (Late) Appanna by the then MRO, Gudivada in S. No. 103/97 dated 22-7-1997 is liable to be cancelled under Section 5(1) of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation issue of Community Certificates Act, 1993 read with Sub Rule 7 of Rule 9 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community, Nativity and Date of Birth Certificates Rules 1997.

The report of the District Level Scrutiny Committee is verified. The observation of the Committee that in the absence of filing documentary evidence in support of migration of the father or forefathers of Kum. Neelapu Venkata Kumari, D/o (Late) Appanna and the Certificate filed in support of her claim that her father has migrated from Bhadrachalam area of Khammam District is proved to be a forged one, her caste is not Konda Reddy is absolutely a proper conclusion. I do agree with

the report of the District Level Scrutiny Committee.

In the above circumstances and in exercise of the power conferred under Section 5(1) of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation is issue of Community Certificates Act, 1993 read with Sub Rule 7 of Rule 9 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community, Nativity and Date of Birth Certificates Rules 1997, I do hereby cancel the Caste Certificate issued to Kum. Neelapu Venkata Kumari, D/o (Late Appanna in S. No. 103/97, dated 22-7-1997 by the then Mandal Revenue Officer, Gudivada.

N. SRIDHAR,
Collector & District Magistrate,
Krishna District,
Machilipatnam.

NOTIFICATION

In exercise of the power conferred under Section 5(1) of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation is issue of Community Certificates Act, 1993 read with Sub Rule 7 of Rule 9 of the Andhra Pradesh (Scheduled Caste, Scheduled Tribes and Backward Classes) Regulation of issue of Community, Nativity and Date of Birth Certificates Rules 1997, the Konda Reddy Caste Certificate issued by the then Mandal Revenue Officer, Gudivada vide S. No. 103/97 in favour Kum. Neelapu Venkata Kumari, D/o (Late Appanna is hereby cancelled with immediate effect.

N. SRIDHAR,
Collector & District Magistrate,
Krishna District.
Machilipatnam,
17th June, 2009.

[Rc. (C4)/661/M/2007]